

Attorney's Docket No. 5784-9



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Shirley et al.
Appl. No.: 09/285,429
Filed: April 2, 1999
For: INJECTABLE FORMULATIONS CONTAINING SUCCINATE

October 12, 1999

Assistant Commissioner for Patents
Washington, DC 20231

SUPPLEMENTAL CITATION UNDER 37 C.F.R. § 1.97

Sir:

Attached is a Supplemental Form PTO-1449 listing several documents cited in the International Search Report for the corresponding International Application Number PCT/US99/07531 not more than three months prior to the filing of this Statement. A copy of each document, including the Search Report, is enclosed. It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

Respectfully submitted,

RECEIVED

Elaine Sale
Elaine Sale
Registration No. 41,286

OCT 18 1999
TECH CENTER 1600/2900

ALSTON & BIRD LLP
Post Office Drawer 34009
Charlotte, NC 28234-4009
Tel Raleigh Office (919) 420-2200
Fax Raleigh Office (919) 420-2260
RTA01/2068751v1

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on October 12, 1999.

Denise O. Funderburke
Denise O. Funderburke